

INFORMATION LETTER

Not for
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NATIONAL CANNERS ASSOCIATION

For Members
Only

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CANNERS' EXEMPTIONS CLARIFIED

Wage-Hour Law Counsel Replies to Inquiries on "Area of Production" Definition

Clarification of Administrator Andrews' definition of "area of production" as applied to canners operating on more than one crop during a year, has been obtained from the office of the Wage and Hour Division's general counsel. This clarification was sought as the result of different interpretations that were placed on the statement published in the INFORMATION LETTER for May 13. The Association submitted the following statements as its interpretation of the previous statement by the general counsel's office, and the Wage and Hour Division has held them to be "substantially correct":

"(1) A canner engaged in packing a perishable or seasonal fruit or vegetable, i.e., tomatoes, all of which he obtains from within a 10-mile radius of his establishment, is within the 'area of production' during the period in which he is engaged in packing such vegetable.

"(2) A canner engaged in packing two or more vegetables at the same time, one of which he obtains from within a 10-mile radius of his establishment but the whole, or some portion, of the second vegetable he obtains from without a 10-mile radius, is not within the 'area of production' during the period in which he simultaneously cans such two or more vegetables.

"(3) A canner who packs two or more perishable or seasonal fruits or vegetables during separate periods of time which do not overlap, and who obtains one of such fruits or vegetables wholly from within a 10-mile radius of his establishment, and obtains another such fruit or vegetable from without such 10-mile radius is within the 'area of production' during the period in which he packs the vegetable obtained from within the 10-mile radius and is not within the 'area of production' during the period in which he packs the fruit or vegetable all or a portion of which is obtained from without the 10-mile radius.

"(4) Accordingly, a particular canner may with respect to a given establishment fall within or without the 'area of production', as defined, two or more times during any calendar year depending upon the method of operation, that is, whether he packs coincidentally or in sequence particular commodities which are obtained respectively both from within or without a 10-mile radius of such establishment.

"It is assumed in every case that the establishment in question is located in towns of less than 2,500 population according to the 15th United States Census, 1930."

The reply of Joseph Rau, chief of the Opinions Section of the general counsel's office, concerning these statements was as follows:

"It is our opinion that the statements contained in the paragraphs just quoted are substantially correct. The time standard is the workweek and if, during a workweek, an employee is engaged in canning products solely from within a radius of 10 miles, he would be exempt for that workweek.

However, if during a workweek, the employee spends any portion of his time in canning a product which comes from outside a radius of 10 miles, he would not be exempt for that workweek. In other words, in the latter case the employee would be subject to the Act during each hour he worked that workweek, including the hours spent in canning products which came from within a radius of 10 miles."

Vegetable-Hearing Transcript Filed

Canners who desire to submit written arguments, proposed findings of fact, or both, together with suggestions and conclusions, based on evidence adduced at the hearings on miscellaneous vegetables held April 24-26, are advised that the transcript of evidence at this hearing was certified and filed with the hearing clerk on May 26. With the filing of the evidence, it was announced that written arguments, proposed findings, etc., may be filed with the hearing clerk not later than June 8, 1939, addressed to the Hearing Clerk, Office of the Solicitor, South Building, Department of Agriculture, Washington, D. C.

As announced in last week's INFORMATION LETTER, there is available to canners a summary of the evidence presented at these hearings, and this summary as it relates to specified products in which individual canners are interested will be furnished on request. Along with the summary there is an explanatory memorandum, which includes a model form for the submission of proposed findings, etc.

The original proposals of the Secretary of Agriculture were printed in the INFORMATION LETTER for March 25.

REQUIRED INFORMATION ON LABELS

Summary of Suggestions on How Statements May be Arranged

Two articles relating to label arrangements have previously been published in the INFORMATION LETTER. Since their publication the Department of Agriculture has held a number of hearings on standards of identity and quality, and the conclusions and regulations resulting from these hearings, which are expected to be issued during the next few months, will have a direct bearing on the question of information that will be required on labels. It seems desirable, therefore, to present a brief summary covering the articles previously published, with particular reference to the arrangement of required information on the label.

Most canners are familiar with the typical label designs published in the INFORMATION LETTER for March 25 and later

reprinted in separate form and widely distributed by the Association as well as by the label manufacturers. An explanation of the design of these typical labels will be helpful to canners in considering practical application of the suggested arrangements to their individual label problems. The suggested arrangements are not obligatory, nor are they the only arrangements that will be acceptable. They do, however, furnish concrete suggestions by which established designs and brands may be retained with minimum modification; likewise, they provide a basis upon which a desirable degree of standardization of labels can be achieved.

The suggested label arrangements illustrated in the INFORMATION LETTER for March 25 consist of a vignette panel, occupying approximately 40 per cent of the length of the label, and an adjacent information panel occupying about 20 per cent. The proportions used will depend on the space needed to give proper prominence to the required information.

In general, the law requires that there be on the label: (1) the complete name of the product as specified in the definitions of identity,—also, in certain cases, the names of optional ingredients; (2) the net contents; (3) the name and place of business of the manufacturer or distributor; and (4) where the product is not covered by a standard of identity, a list of the ingredients.

On the vignette panel may be placed part of the required information, such as the name of the product, or the name of the product and the name of canner or distributor, or the name of the product and net contents. The brand name may likewise be placed on the vignette panel. The remainder of the required information may be placed on the information panel, but it is desirable that this information panel carry *all* the required information, which means that it would repeat that part of the required information carried on the vignette panel.

In the information panel may be carried *only required information*; this panel should *not* be used for supplementary information that the canner may wish to appear on the label.

The name of the product on the vignette panel need not in every instance be the complete name of the product as fixed by the standard of identity, nor need it include all the optional ingredient information. However, if the standard of identity requires varietal information or other specific terms to be given whenever the name of the product is prominently shown, the name of the product used on the vignette panel *must* include such information.

The general attitude of the enforcement officials is that the consumer may advantageously be trained in time to expect to find at one place on the label *all* the information required by the law; an occasional exception to this rule may occur where some basic fact can be satisfactorily expressed only by the use of an appropriate term on the vignette panel.

The law requires that the information be placed on the label prominently and with such conspicuousness as to render it likely to be read. This prominence and conspicuousness can be achieved by position of the statement, by the size of the lettering, and also by the contrast in color of lettering and color of background. However, *the contrast in color must be such as to contribute to the legibility of the statement.*

Copies of the reprint of the original article published in the INFORMATION LETTER for March 25, which includes illustrations of typical labels conforming to the foregoing comments, are available upon request to the Association.

CONGRESS SUMMARY

House Committee Sets Hearings for June 1 on Jones Amendments to Marketing Act

The House Committee on Agriculture announced May 26 that hearings on the Jones amendments to the Marketing Agreements Act will be held June 1. One section of the bill (H. R. 6208) would make the Act applicable to any agricultural commodity and would make canning crops subject to marketing orders.

During the past week the Senate debated and passed the Labor Department appropriation bill and the Wheeler omnibus transportation bill, while the House passed bills setting acreage allotments for wheat and cotton and sent the Agricultural Department appropriation bill to conference.

Senate bills extending the authority of the Secretary of Agriculture to issue orders under the Marketing Agreements Act to apples produced in Washington, Oregon, and Idaho and to hops, were also passed by the House. The House amendments to the apple bill were agreed to in the Senate.

Chairman Doughton of the House Committee on Ways and Means introduced on May 24 the Committee's amendments to the Social Security Act. The Committee is now engaged in writing a report on the proposed changes and when completed the bill will be reported to the House. On May 25 the Ways and Means Committee reported without recommendation the Hendricks bill which embodies the latest Townsend pension plan. The Committee on Rules has under consideration a resolution to place the Hendricks bill before the House.

Senator Danaher of Connecticut and Representative Byrne of New York introduced companion resolutions in the Senate and House on May 23 to authorize agreements between States bordering the Atlantic Ocean with respect to fishing in the territorial waters of the Atlantic on which such States border. The resolutions would also give the States, through interstate agreements, jurisdiction over inland waters frequented by anadromous fish.

The plan to hasten the effective date of the two reorganization plans submitted by the President, proposed in S. J. Resolution 138, passed the Senate May 19. The resolution would make the reorganization plans effective on July 1, 1939, rather than waiting the 60 days after submission of each plan as provided in the Reorganization Act of 1939.

New Cook Book Features Canned Foods

Menus and recipes that are built around the use of many canned foods are featured in a new cook book just published by the Bobbs-Merrill Co., "Streamlined Cooking", which was compiled and written by Irma S. Rombauer. The purpose of the book is to help housewives prepare "good meals in 30 minutes". Most of the chapters begin with a list of canned foods available. Every effort has been made to make meal preparation simple, and yet give personality to the foods.

LEARNER REGULATIONS REVISED**Conditions Governing Employment Under Wage-Hour Law in Skilled Occupations Specified**

Revised regulations governing the issuance of special certificates to employers, permitting the employment of learners at wages lower than the minimum applicable under the Fair Labor Standards Act, were issued by Administrator Andrews on May 23.

In an explanation of the regulations, the Wage and Hour Division outlined the following requirements which must be met before a learners' certificate will be issued:

1. Unless an occupation demands of the worker training and skill, which is normally evidenced in higher earnings for experienced workers, a beginner at that occupation will not be deemed a "learner." An application should be made only for the employment of inexperienced workers at a skilled occupation and the application must describe in detail the factors which are believed to make the occupation a skilled occupation.

2. The minimum wage for learners will be fixed by the Wage and Hour Division, but an application for the employment of learners must state the wage lower than the statutory minimum at which the employer seeks to employ the learners. If experienced workers at the occupation for which learners are sought are paid by the applicant on a piece-work basis, the learners must be paid at the same piece rate as the experienced workers, with an additional guarantee of the minimum hourly wage provided in the special certificate.

3. The length of the learning period will be fixed by the Wage and Hour Division, but an application must state the length of time during which the learner is sought to be employed at a wage less than the statutory minimum. If this period of time is shorter than four weeks, only exceptional circumstances will establish that the employment of learners is necessary.

4. An application must contain full statements with respect to both of the following points and with reference to the plant involved in the application: (a) The application must show that experienced workers are not available, supported by a full statement of all efforts made to secure experienced workers. (b) The applicant must establish that the employment of learners will so increase his cost of production (1) that a reasonable employer in the circumstances of the applicant would not ordinarily hire additional inexperienced employees for operation of new plants, expansion of plant, or rehabilitation of idle plant capacity, or (2) that the applicant would be so unreasonably burdened by hiring additional inexperienced employees to replace normal plant labor turnover as to make probable a resultant curtailment of opportunities for employment.

Copies of the regulations and the explanation may be obtained from the Wage and Hour Division upon request.

FSCC Authorized to Buy Additional Butter

The Federal Surplus Commodities Corporation has been authorized to buy an additional 25,000,000 pounds of surplus butter during the current fiscal year ending June 30, 1939. This increases to 115,000,000 pounds the quantity of butter that the Corporation has been authorized to buy this fiscal year.

PRIVATE CARRIER REGULATIONS**I.C.C. Announces Decision Regarding Extent of Its Jurisdiction**

The Interstate Commerce Commission on May 9 concluded a proceeding instituted last November to determine the extent of its jurisdiction over employees of common, contract, and private carriers by motor vehicle, with the decision that its jurisdiction extends only to those employees whose activities affect the safety of operation of motor vehicles in interstate and foreign commerce.

The proceeding had been instituted by the Commission, on its own motion, because of a provision of the Fair Labor Standards Act which exempts from the wage and hour limitations of that law, employees with respect to whom the Interstate Commerce Commission has power to establish qualifications and maximum hours of service under the Motor Carrier Act.

In determining its jurisdiction over private carriers the Commission held as follows:

"It is clear to us that we have the power to prescribe qualifications and maximum hours for drivers and their helpers employed by private carriers of property who are engaged in driving or operating motor vehicles transporting property in interstate and foreign commerce. It may be that the activities of other employees are such that 'to promote safety of operation' we have power to prescribe qualifications and maximum hours of service for them. As to what classes or types of employees, if any, may be included in this category, we do not decide here."

Under this ruling, drivers, their helpers, and possibly other employees of private carriers, if engaged in interstate and foreign commerce, would be exempt from the wage and hour limitations of the Fair Labor Standards Act. However, the general counsel of the Wage and Hour Division, in an opinion released March 25 (see INFORMATION LETTER No. 736, April 1, 1939) held that it is doubtful whether the Commission can be considered as having power over employees of private carriers until it has found a need for the establishment of qualifications and maximum hours of service for such carriers. The general counsel concluded that "until an order is issued by the Commission in this connection, it is our opinion that the employees of private carriers should be considered as not within the exemption. . . ." The Wage and Hour Division is now engaged in a study of the Commission's decision as to its jurisdiction; but there is no indication that the general counsel will change his opinion.

Hearings have been concluded by a trial examiner of the Commission on the question of the need for the establishment of qualifications and maximum hours of service for private carriers; but it undoubtedly will be some time before his recommendation is issued and some further time before the Commission acts. The decision as to the extent of its jurisdiction, however, would seem to indicate that the Commission will issue orders establishing qualifications and maximum hours of service for private carriers who are engaged in interstate and foreign commerce.

Food Bill Passes New York Legislature

The New York State food bill, introduced by Senator Bewley to amend the agriculture and markets law of that State in relation to adulteration, packing, and branding of food products, has passed both houses of the legislature and is now pending before the governor. If approved, the proposal will become effective June 25.

The bill contains a provision that the proposed law shall be so construed as to effectuate its general purpose to enact State legislation uniform with the new Federal Act. Generally, the proposal follows the wording of the adulteration and misbranding sections of the Federal Act.

Conference to Discuss Quality Control

Quality control in the food industries will be one of the principal themes in the second Food Technology Conference, which is to be held June 28 to July 1 under the auspices of the Massachusetts Institute of Technology.

The session on Wednesday morning, June 28, will be devoted to a symposium on quality control in food manufacturing. E. J. Cameron, director of the Association's Washington Research Laboratory, will speak at this session on the subject "Quality Control in the Canning Industry." Other speakers at this session will be: S. C. Prescott, dean of science, Massachusetts Institute of Technology; W. L. Campbell, general manager of manufacturing, Kroger Grocery and Baking Co.; H. F. Taylor, president, Atlantic Coast Fisheries; L. K. Riggs, director of research, Kraft-Phenix Cheese Corp.; and R. C. Newton, chief chemist, Swift & Co.

The luncheon speaker on June 28 will be Clarence Francis, president, General Foods Corp. Herbert A. Baker, president of the American Can Co., will be the special speaker after the banquet on June 30.

Other symposia will be held on food packaging and containers, bakery technology, food engineering, and food refrigeration. On Saturday, July 1, L. V. Burton, editor, Food Industries, will speak on "The New Food Law and Its Relation to Food Technologists of the Future"; O. E. Baker of the Bureau of Agricultural Economics will speak on "Trends in Food Production and Consumption in the United States"; and Major P. P. Logan, of the Quartermaster Corps, United States Army, will speak on "Subsistence of the Army in War."

At the symposium on food packaging and containers, speakers will include W. H. Harrison, Continental Can Co.; S. H. Ayers, Crown Can Co.; and R. H. Lueck, American Can Co.

Brokers Pledge Contract-Enforcement Support

A resolution pledging their efforts to assist in the enforcement of contracts was adopted at a recent meeting of the Associated Grocery Brokers of San Francisco. The resolution stated:

"WHEREAS, The Associated Grocery Brokers of San Francisco recognize the fact that the Food Broker is the economic link between seller and buyer and that the foundation of the Food Brokerage business is complete fairness to seller and buyer alike.

"AND WHEREAS, during recent years there has been a deplorable number of contract violations on the part of both

sellers and buyers, causing serious losses to all parties concerned:

"BE IT THEREFORE RESOLVED that the Associated Grocery Brokers of San Francisco will do everything within their power to assist in the enforcement of all existing and future contracts and will enlist the support of all other trade associations within the industry to prevent the abuse of sales contracts, which evil is undermining American business."

This resolution is in accord with the action of the National Food Brokers Association at its 1939 convention, when the following resolution was approved:

"RESOLVED, that the members of the National Food Brokers Association in self-defense as well as in supporting the moral, legal, and ethical questions involved in arbitrary and otherwise unwarranted cancellation of contracts of sale, pledge themselves to use every fair and reasonable means to make sure that both parties to any contract which they have brought about fulfill such contract in letter and spirit, without deviation, the only exception being in such instances as there may be a reasoned three-way agreement to the change or cancellation of such contract entered into by the seller, the broker, and the buyer."

California Deciduous Fruits Program Approved

Final approval of a marketing agreement program to regulate the handling in interstate commerce of Bartlett pears, plums, and Elberta peaches grown in California, was announced May 25 by the Department of Agriculture. The program will become operative May 29, 1939.

Limited Hours Exemption for Lumber Industry

Certain branches of the lumber industry were given limited exemption from the maximum hours provisions of the Fair Labor Standards Act May 13, by Administrator Andrews of the Wage and Hour Division.

Partial hours exemption was applied to the sap peeling of pulpwood, wherever conducted, including sawing and piling, if performed during the sap peeling season; to ice and snow-road hauling of saw timber and pulpwood in the Northeast and Lake States; and to spring-freshet driving in Maine, New Hampshire, New York, and Vermont.

This seasonal exemption permits the employment of workers for a workday not in excess of 12 hours, and a workweek not in excess of 56 hours without the payment of overtime for periods aggregating not more than 14 workweeks. The exemption does not relax the minimum wage provisions of the Act.

The applications for seasonal exemption of saw-timber logging and saw-milling were denied on the ground that the operations conducted in these industries do not come within the terms of the Regulations applicable to seasonal industries.

Puerto Rican Sugar Exemption Denied

The application of the Association of Sugar Producers of Puerto Rico for an exemption from both the wage and hour provisions of the Fair Labor Standards Act, was denied May 16 by Administrator Andrews of the Wage and Hour Division.

GREEN PEAS FOR MANUFACTURE

Bureau of Agricultural Economics Estimates Acreage Sown for 1939

"The 1939 preliminary estimates of the acreage planted to green peas for manufacture, including freezing, shows a decrease of about 22 per cent from the 1938 planted acreage, and is about 9 per cent below the 8-year (1930-37) average planting," according to the May 23 report of the Bureau of Agricultural Economics. The Bureau estimates that acreage in 1939 intended for canning purposes only, is 24 per cent less than the acreage sown in 1938 for canning only.

"A total planting for manufacture of 259,900 acres is estimated for 1939, compared with the 1938 plantings of 334,920 acres and the 8-year average planting of 285,800 acres," the Bureau report stated. "Deducting the acreage for freezing from the total plantings for manufacture leaves 234,300 acres for canning purposes in 1939, compared with 308,820 acres in 1938."

Of the total 1939 indicated acreage, the Bureau's reports estimate that 158,170 acres will be sown to Sweet peas (sweet wrinkled), and 101,730 acres to Alaskas (smooth round). These figures can be compared with the acreages sown during the past four years: 1938—Sweet peas 199,650, Alaskas 135,270; 1937—Sweet peas 206,880, Alaskas 147,540; 1936—Sweet peas 201,080, Alaskas 136,420; 1935—Sweet peas 187,260, Alaskas 154,100.

In the table below are given the figures compiled by the Bureau of Agricultural Economics on 1938 sown acreage of green peas, and 1939 indicated acreage, by States and varieties. Sown acreages for previous years are available in tables appearing on page 5780 of the INFORMATION LETTER for March 25, 1939, prepared by the Association's Division of Statistics.

| | Planted 1938 | | Intended 1939 | |
|--------------------|------------------|----------------|------------------|----------------|
| | Alaskas Acres | Sweet Acres | Alaskas Acres | Sweet Acres |
| Maine..... | | 3,820 | | 4,540 |
| New York..... | 5,190 | 31,910 | 3,450 | 31,050 |
| Pennsylvania..... | 3,520 | 2,880 | 3,820 | 1,880 |
| Ohio..... | 3,680 | 1,220 | 3,140 | 790 |
| Indiana..... | 6,610 | 990 | 5,370 | 1,430 |
| Illinois..... | 7,090 | 10,210 | 5,360 | 9,540 |
| Michigan..... | 5,460 | 7,240 | 2,520 | 3,780 |
| Wisconsin..... | 61,190 | 44,310 | 45,820 | 28,080 |
| Minnesota..... | 6,900 | 15,350 | 6,180 | 15,120 |
| Iowa..... | 1,540 | 1,360 | 1,110 | 370 |
| Delaware..... | 3,170 | 430 | 2,220 | 280 |
| Maryland..... | 17,010 | 1,890 | 12,500 | 1,700 |
| Virginia..... | 3,680 | 320 | 3,140 | 560 |
| Colorado..... | 1,930 | 1,930 | 1,520 | 1,580 |
| Utah..... | 430 | 13,820 | 200 | 9,800 |
| Washington..... | 1,770 | 27,730 | 870 | 20,930 |
| Oregon..... | 890 | 21,340 | | 16,800 |
| California..... | | 4,800 | | 3,200 |
| Other States*..... | 5,210 | 8,100 | 4,510 | 6,740 |
| Total..... | 135,270 | 199,650 | 101,730 | 158,170 |

*Include: Arkansas, Idaho, Kansas, Montana, Nebraska, New Jersey, Oklahoma, Tennessee, Texas, and Wyoming.

Conference on Business and Consumer Relations

For the purpose of reporting progress, exchanging viewpoints, and increasing cooperation among business, consumer, government, and educational organizations in the United States, a conference on business and consumer relations in

regard to advertising and selling practices will be held June 5 and 6 at Buffalo. The conference is sponsored by the National Association of Better Business Bureaus.

Speakers and discussions at the sessions are grouped under four main headings: What Consumers Want, What Educators are Doing, What Government is Doing, and What Business is Doing. Leaders in the four fields are scheduled to speak.

Jacksonville Tomato Festival June 4-7

The National Tomato Show and Festival will be held at Jacksonville, Fla., June 4 to 7. Governors of all States where tomatoes are grown on a commercial scale are being asked to proclaim this period as National Tomato Week. A Jacksonville girl will be selected as "tomato queen," and other cities are expected to send princesses to serve during the week.

Mid-May Prospects of Certain Truck Crops

General summary of releases by the Bureau of Agricultural Economics on indicated acreage and production of certain commercial truck crops, as estimated by the Bureau from mid-May reports, are given below:

GREEN AND WAX BEANS.—A production of 1,516,000 bushels of snap beans is in prospect for the first section of intermediate States (Arkansas, North Carolina, Tennessee, and Virginia). This compares with 1,503,000 bushels produced in 1938, and the 1928-37 average production of 1,090,000 bushels. The acreage for harvest this season is 4 per cent greater than that of a year ago, but indicated yield is 3 per cent lower. Cool weather in all sections has retarded growth, and the condition of the crop is only fair.

LIMA BEANS.—A total of 200,000 bushels of lima beans is expected to be produced this season in Georgia and South Carolina. This is an increase of 11 per cent over the 180,000 bushels produced in 1938, and 38 per cent larger than the 1928-37 average production of 145,000 bushels.

GREEN PEAS.—Production of green peas in Maryland, New Jersey, and the early crop in Idaho is indicated at 437,000 bushels. This is an increase of 30 per cent over the 337,000 bushels produced in 1938, and 75 per cent above the 1928-37 average production of 250,000 bushels.

TOMATOES.—The tomato crop in the second early States (Georgia, Louisiana, Mississippi, South Carolina, and Texas—other) is indicated to be 3,788,000 bushels. This is a decrease of 7 per cent from the 4,088,000 bushels produced in 1938, but 7 per cent greater than the 1928-37 average production of 3,528,000 bushels.

Stocks of Canned Tomato Juice on May 1

Total stocks of canned tomato juice in canners' hands on May 1, 1939, amounted to 4,523,493 actual cases, compared with 5,277,247 cases on April 1, according to figures compiled by the Association's Division of Statistics from reports of about 90 per cent of the pack and carryover. Estimates are included on the pack and carryover of the 10 per cent not reporting. During the month of April, stocks decreased by 753,754 cases, compared with the March decrease of 705,259 cases.

In the following table are given figures for the May 1 stocks of canned tomato juice by can sizes:

| Can name | Cans per case | Stocks Cases |
|--|---------------|--------------|
| 8 1/2 Tall (including 8 1/2 Short)..... | 48 | 36,812 |
| No. 1 Picnic..... | 48 | 70,507 |
| No. 211 Cylinder..... | 48 | 187,948 |
| No. 300 (including all 300 cans from 407 to 412)... | 48 | 739,310 |
| No. 1 Tall..... | 48 | 203,251 |
| No. 303 Cylinder..... | 24 | 494,019 |
| No. 2..... | 24 | 344,081 |
| No. 2 Cylinder (including all 307 cans from 505 to 513)..... | 24 | 708,628 |
| No. 3 Cylinder (including 404 cans from 515 to 708)..... | 12 | 491,569 |
| No. 10 (including some No. 5)..... | 6 | 595,630 |
| Miscellaneous tin..... | .. | 223,166 |
| Glass..... | .. | 428,527 |
| Total..... | .. | 4,523,493 |

Indexes on Wholesale and Retail Prices

Indexes on wholesale and retail prices in the tables below are the latest available from the Bureau of Labor Statistics. The wholesale price indexes are based on the average for the year 1926 taken as 100 per cent. The basis for the retail price indexes is the average for the years 1923-25 taken as 100 per cent.

| | Wholesale prices | | | | | |
|----------------------|------------------|----------|------------|------------|------------|----------|
| | May 13, 1939 | May 1939 | April 1939 | April 1939 | April 1939 | May 1939 |
| All commodities..... | 76.4 | 76.1 | 76.1 | 76.0 | 75.8 | 77.8 |
| All foods..... | 68.5 | 68.3 | 68.6 | 68.7 | 68.2 | 71.4 |

| | Retail prices | | | | | |
|-----------------------------------|----------------|----------------|---------------|----------------|----------------|------------|
| | April 18, 1939 | March 14, 1939 | Feb. 14, 1939 | April 12, 1939 | April 15, 1939 | April 1939 |
| All foods..... | 76.6 | 76.4 | 76.8 | 79.4 | 80.1 | 80.1 |
| Fresh fruits and vegetables..... | 64.4 | 60.0 | 60.0 | 61.0 | 54.0 | 54.0 |
| Canned fruits and vegetables..... | 73.9 | 74.1 | 74.1 | 78.0 | 65.2 | 65.2 |

Fruit and Vegetable Market Competition

Carlot Shipments as Reported by the Bureau of Agricultural Economics, Department of Agriculture

| VEGETABLES | Week ending— | | Season total to— | |
|-----------------------------------|--------------|--------------|------------------|--------------|
| | May 20, 1938 | May 20, 1939 | May 13, 1939 | May 20, 1939 |
| Beans, snap and lima..... | 330 | 234 | 286 | 7,148 |
| Tomatoes..... | 1,587 | 1,000 | 909 | 16,093 |
| Green peas..... | 245 | 309 | 308 | 2,900 |
| Spinach..... | 5 | 12 | 35 | 6,456 |
| Others: | | | | |
| Domestic, competing directly..... | 3,491 | 2,775 | 4,948 | 138,408 |
| Imports competing— | | | | |
| Directly..... | 0 | 0 | 1 | 106 |
| Indirectly..... | 0 | 4 | 3 | 2,368 |
| FRUITS | | | | |
| Citrus, domestic..... | 4,561 | 3,528 | 3,643 | 121,107 |
| Imports..... | 2 | 0 | 0 | 111 |
| Others, domestic..... | 936 | 828 | 887 | 24,518 |

Fruits and Vegetables in Cold Storage

Stocks of frozen fruits, reported as in cold storage on May 1, 1939, were reduced during April by 15,220,000 pounds, and frozen vegetables by 3,910,000 pounds, according to the Bureau of Agricultural Economics. May 1 holdings of frozen vegetables were 25,551,000 pounds heavier than on the same date a year ago.

Beginning April 1, 1939, warehousemen were asked to report their holdings of frozen fruits on the basis of small- and large-size containers, rather than by the previous method of attempting to segregate the quick-frozen and cold-packed holdings. The Bureau report states that "Indications are that most of the storage operators have shifted their reports to the new basis, but it may be several months before the container segregation can be considered productive of fully dependable results for the detailed classifications."

In the following table, cold-storage stocks of frozen fruits on April 1 and May 1, 1939, are segregated on the basis of small containers, having less than 30-pound capacity, and bulk or large containers, having capacity of 30 pounds or more:

| FROZEN FRUITS | Small containers | | Large containers | |
|----------------------------------|------------------|--------------|------------------|--------------|
| | April 1, 1939 | May 1, 1939 | April 1, 1939 | May 1, 1939 |
| | 1,000 pounds | 1,000 pounds | 1,000 pounds | 1,000 pounds |
| Blackberries..... | 180 | 357 | 1,542 | 1,080 |
| Blueberries..... | 1,085 | 1,015 | 3,621 | 3,161 |
| Cherries..... | 1,463 | 2,059 | 11,645 | 8,990 |
| Logan and similar berries..... | 448 | 667 | 1,908 | 2,014 |
| Raspberries..... | 891 | 857 | 4,976 | 4,341 |
| Strawberries..... | 9,442 | 7,893 | 16,313 | 14,113 |
| Other fruits..... | 5,556 | 3,625 | 14,160 | 8,938 |
| Classification not reported..... | 4,814 | 2,447 | 13,116 | 14,413 |
| Total..... | 23,879 | 18,920 | 67,281 | 57,020 |

In the following table are given comparison of stocks of frozen vegetables on various dates:

| FROZEN VEGETABLES | May 1, 1938 | April 1, 1939 | May 1, 1939 |
|----------------------------------|--------------|---------------|--------------|
| | 1,000 pounds | 1,000 pounds | 1,000 pounds |
| Asparagus..... | | 2,534 | 2,928 |
| Beans, lima..... | 3,444 | 10,309 | 9,564 |
| Beans, snap..... | 1,628 | 4,875 | 4,697 |
| Broccoli, green..... | | 1,081 | 1,035 |
| Corn, sweet..... | 1,823 | 5,428 | 5,063 |
| Peas, green..... | 6,700 | 17,144 | 15,378 |
| Spinach..... | 1,925 | 2,787 | 2,547 |
| Other vegetables..... | 6,312 | 2,027 | 2,078 |
| Classification not reported..... | | 5,088 | 4,093 |
| Total..... | 21,832 | 51,293 | 47,383 |

Distributors Use "Answers to Questions" Leaflet

A number of canners have supplied their salesmen and brokers with the leaflet of the Association's Home Economics Division, "Answers to Questions About Canned Foods." One chain store has reprinted the publication and has sent it to all of its retail outlets. Two grocery organizations in the District of Columbia, one having two hundred outlets, also have used the leaflet.

Indiana Canners Technician's School June 14-30

The annual Canners Technician's School sponsored by Purdue University has been tentatively scheduled for June 14 to 30. Miss Gertrude Speiden of the Association's Research Laboratories will be in charge of the school, and representatives of the Continental and American can companies will cooperate in teaching.

The first 10 days of the school will be assigned to mold counting, and the last week will be devoted to worm-fragment identification. The first three days will be for beginners in mold counting.

CANNED FOOD EXPORTS AND IMPORTS

| EXPORTS | April, 1938 | | April, 1939 | | Jan.-April, 1938 | | Jan.-April, 1939 | |
|------------------------------------|-------------|-----------|-------------|-----------|------------------|-------------|------------------|-------------|
| | Pounds | Value | Pounds | Value | Pounds | Value | Pounds | Value |
| Meats, total..... | 1,150,483 | \$399,367 | 1,068,690 | \$321,779 | 5,203,143 | \$1,830,556 | 5,144,083 | \$1,629,090 |
| Beef, corned, etc..... | 49,673 | 11,516 | 28,905 | 6,895 | 189,404 | 53,764 | 127,459 | 29,864 |
| Other beef..... | 136,158 | 51,701 | 109,926 | 43,636 | 733,656 | 260,262 | 543,847 | 207,729 |
| Pork..... | 639,996 | 258,110 | 579,475 | 189,812 | 3,288,658 | 1,275,356 | 3,243,197 | 1,111,222 |
| Sausage..... | 128,594 | 36,139 | 169,443 | 48,139 | 456,460 | 130,624 | 600,858 | 164,359 |
| Other meat..... | 196,062 | 41,901 | 180,941 | 33,297 | 534,965 | 110,550 | 628,722 | 115,916 |
| Vegetables, total..... | 2,257,332 | 183,879 | 2,405,325 | 183,362 | 10,646,434 | 972,836 | 11,486,905 | 950,203 |
| Asparagus..... | 286,580 | 44,231 | 330,859 | 39,040 | 2,375,625 | 366,930 | 2,400,448 | 310,104 |
| Beans, baked and with pork.. | 393,587 | 18,712 | 443,599 | 19,053 | 1,759,038 | 79,548 | 1,810,710 | 72,772 |
| Corn..... | 197,967 | 13,758 | 342,178 | 24,119 | 808,370 | 61,753 | 1,059,912 | 76,849 |
| Peas..... | 230,565 | 17,395 | 218,496 | 15,015 | 1,455,320 | 112,793 | 1,346,419 | 96,559 |
| Soups..... | 273,810 | 28,097 | 251,827 | 25,030 | 945,653 | 96,205 | 956,037 | 97,893 |
| Tomatoes..... | 85,575 | 5,783 | 92,414 | 5,313 | 420,205 | 26,166 | 554,552 | 32,656 |
| Tomato paste and purée..... | 89,224 | 8,836 | 83,386 | 5,663 | 560,912 | 37,232 | 514,847 | 37,586 |
| Tomato juice..... | 467,079 | 24,521 | 212,975 | 12,996 | 1,052,449 | 63,535 | 834,956 | 51,649 |
| Other vegetables..... | 232,945 | 22,546 | 429,591 | 37,133 | 1,268,862 | 128,674 | 2,009,024 | 174,135 |
| Condensed milk..... | 931,884 | 115,888 | 141,533 | 16,050 | 1,938,965 | 217,195 | 641,726 | 70,381 |
| Evaporated milk..... | 2,154,447 | 159,918 | 1,710,106 | 110,569 | 7,570,605 | 557,148 | 7,025,103 | 459,567 |
| Fish: | | | | | | | | |
| Salmon..... | 2,537,293 | 393,356 | 3,654,811 | 575,984 | 10,788,007 | 1,826,907 | 16,985,656 | 2,526,971 |
| Sardines..... | 3,068,764 | 216,320 | 2,865,778 | 189,021 | 15,721,941 | 1,057,879 | 18,996,208 | 1,266,249 |
| Other fish..... | | | 278,505 | 21,107 | | | 967,711 | 79,245 |
| Shellfish: | | | | | | | | |
| Shrimp..... | 322,535 | 67,039 | 426,950 | 60,812 | 1,410,449 | 298,591 | 1,947,526 | 301,201 |
| Other shellfish..... | 110,013 | 14,758 | 122,001 | 16,485 | 423,782 | 61,646 | 308,019 | 48,325 |
| Fruits, total..... | 15,275,298 | 1,163,067 | 23,208,854 | 1,477,895 | 89,553,242 | 6,645,919 | 105,985,288 | 6,879,381 |
| Grapefruit..... | 4,437,147 | 295,416 | 6,968,998 | 368,622 | 23,139,740 | 1,524,887 | 25,438,237 | 1,345,546 |
| Loganberries..... | 6,532 | 652 | 30,905 | 1,913 | 110,582 | 10,112 | 198,214 | 14,827 |
| Other berries..... | 69,769 | 8,139 | 41,429 | 4,666 | 274,564 | 31,405 | 206,317 | 20,997 |
| Apples and sauce..... | 366,687 | 15,989 | 644,809 | 29,993 | 3,138,853 | 141,453 | 4,052,481 | 175,399 |
| Apricots..... | 1,475,438 | 95,919 | 1,844,429 | 112,961 | 6,831,611 | 479,539 | 8,483,099 | 540,224 |
| Cherries..... | 68,943 | 10,049 | 170,797 | 12,665 | 657,739 | 78,019 | 1,389,293 | 111,882 |
| Prunes..... | 65,566 | 7,341 | 96,754 | 5,970 | 423,469 | 38,152 | 519,223 | 34,014 |
| Peaches..... | 3,216,630 | 234,256 | 5,571,940 | 322,791 | 16,020,616 | 1,133,509 | 23,836,872 | 1,411,688 |
| Pears..... | 2,778,132 | 198,089 | 4,109,553 | 266,633 | 25,203,060 | 1,738,937 | 24,716,923 | 1,617,796 |
| Pineapple..... | 511,628 | 44,002 | 717,709 | 59,167 | 3,264,118 | 301,632 | 3,576,035 | 304,184 |
| Fruit salad and cocktail..... | 2,108,405 | 236,864 | 2,771,590 | 271,643 | 9,565,791 | 1,076,616 | 12,345,779 | 1,198,167 |
| Other fruits..... | 170,421 | 16,351 | 239,860 | 20,871 | 923,099 | 91,658 | 1,222,815 | 104,657 |
| Fruit juices: | | | | | | | | |
| Pineapple..... | | | 66,477 | 45,574 | | | 194,533 | 110,592 |
| Grapefruit..... | | | 265,102 | 92,297 | | | 732,240 | 253,242 |
| Orange..... | | | 67,073 | 42,819 | | | 154,531 | 118,647 |
| Other fruit juices..... | | | 28,829 | 25,464 | | | 110,721 | 100,163 |
| IMPORTS | | | | | | | | |
| Meat: | | | | | | | | |
| Beef..... | 8,940,272 | 998,579 | 8,640,094 | 871,108 | 21,178,477 | 2,292,429 | 21,836,213 | 2,252,055 |
| Other meats..... | 10,417 | 3,093 | 10,808 | 3,769 | 49,836 | 13,877 | 88,637 | 24,747 |
| Milk: condensed and evap..... | 57,634 | 4,651 | 23,841 | 1,296 | 220,587 | 16,926 | 63,516 | 3,551 |
| Fish: | | | | | | | | |
| Packed in oil— | | | | | | | | |
| Sardines..... | 952,138 | 152,356 | 2,042,281 | 328,926 | 5,803,851 | 909,508 | 8,686,660 | 1,305,763 |
| Anchovies..... | 171,434 | 74,724 | 145,060 | 54,485 | 680,012 | 312,037 | 930,849 | 357,793 |
| Tuna..... | 665,639 | 120,433 | 716,351 | 101,237 | 1,646,597 | 294,057 | 2,899,417 | 480,119 |
| Other fish in oil..... | 48,982 | 12,382 | 31,482 | 10,552 | 207,139 | 61,173 | 183,039 | 53,111 |
| Other fish—not in oil..... | 793,123 | 80,725 | 956,082 | 94,716 | 4,865,180 | 433,439 | 4,861,279 | 453,425 |
| Caviar and other roe..... | 7,233 | 3,018 | 9,034 | 2,740 | 51,281 | 18,240 | 59,453 | 35,725 |
| Shellfish— | | | | | | | | |
| Crab meat and sauces..... | 429,926 | 160,615 | 600,046 | 225,824 | 1,643,814 | 562,815 | 3,601,359 | 1,275,027 |
| Clams and oysters..... | 44,430 | 9,553 | 60,831 | 15,960 | 198,994 | 42,900 | 291,705 | 73,014 |
| Lobsters..... | 52,568 | 18,009 | 34,387 | 13,392 | 135,007 | 58,450 | 163,937 | 68,362 |
| Other shellfish..... | 1,679,272 | 105,162 | 2,324,083 | 103,292 | 4,969,171 | 400,288 | 7,436,637 | 495,374 |
| Vegetables: | | | | | | | | |
| Peas..... | 139,820 | 13,878 | 340,767 | 38,014 | 214,536 | 18,989 | 913,543 | 101,020 |
| Pimientos..... | 63,894 | 8,292 | 11,100 | 1,545 | 414,914 | 51,301 | 62,703 | 8,174 |
| Mushrooms..... | 54,332 | 13,526 | 77,584 | 15,801 | 285,248 | 72,204 | 258,061 | 54,419 |
| Tomatoes..... | 4,556,631 | 192,850 | 4,697,914 | 191,850 | 16,838,549 | 701,520 | 23,220,071 | 892,348 |
| Tomato paste and sauce..... | 499,196 | 35,007 | 605,295 | 40,969 | 2,818,578 | 191,444 | 2,703,538 | 200,176 |
| Other vegetables..... | 13,039 | 891 | 12,082 | 654 | 59,576 | 3,783 | 96,173 | 4,773 |
| Fruit: | | | | | | | | |
| Pineapple, dutiable..... | 216,855 | 8,849 | 1,957,619 | 66,353 | 1,571,699 | 67,294 | 5,593,970 | 212,892 |
| Pineapple, free (Philippines)..... | 964,989 | 48,838 | | | 965,044 | 48,843 | 4,453,550 | 184,551 |
| Mandarin oranges..... | 127,122 | | 134,471 | 8,004 | 783,503 | | 459,931 | 30,456 |

Veterans Bureau to Buy Canned Foods

The Procurement Division of the Veterans Administration is asking for bids, to be opened on June 14, on 5,775 dozen No. 10 cans of apricots, packed six to the case. The Bureau also seeks bids, to be opened on June 20, on 9,675 dozen No. 10 cans of string beans, and 12,365 dozen No. 10 cans of peas. Deliveries are to be made f.o.b. Perryville, Md., San Francisco and Chicago.

The Administration also has asked for bids, to be opened on June 14, on 147,600 cans of canned pineapple, crushed and sliced, and pineapple juice. Deliveries are to be made to the same places.

Copies of the invitations, including specifications and general conditions, can be obtained by communicating with the Procurement Division, Veterans Administration, Washington, D. C.

Canada Cancels Special Excise Tax on Imports

Effective provisionally April 26, the special excise tax on imports of 3 per cent ad valorem has been removed from all imports into Canada from the United States, and other countries having commercial agreements with Canada. Under the revised Canada-United States trade agreement, effective January 1, 1939, assurances were given that the special excise tax would be removed from all articles in schedule I of the agreement. However, the tax now is removed from all imports from the United States into Canada.

Cuba Postpones Metric Marking Requirement

The requirement that all closed or sealed containers of foodstuffs be marked to show the net weight or volume of the contents in units of the metric system, promulgated last November by a Cuban presidential decree, has been postponed until December 31, 1939, according to a report from the office of the American commercial attaché at Habana.

The requirement for the metric marking of packaged foodstuffs applies equally to imported foodstuffs as well as to those of domestic production.

Canned Pineapple Exports from British Malaya

Exports of canned pineapple from British Malayan ports during the first two months of 1939, amounted to 365,038 cases, or an average of 45,630 cases per week, according to the American trade commissioner at Singapore. Exports during the same period in 1938 amounted to 368,316 cases.

Insect Pests Appear Earlier than Usual

The first general movement of the pea weevil from hibernation quarters to the pea fields in the Willamette Valley of Oregon occurred during the third week in April, according to the Department of Agriculture's Insect Pest Bulletin for May 1. This is nearly a month earlier than in 1938.

It is reported also that the Mexican bean beetle first appeared in south-central Georgia on April 11, and on April 18 adults were found in the tidewater sections of Virginia.

In the upper East-Coast citrus-growing section of Florida the green citrus aphid was occurring in numbers, doing considerable damage to oranges in the Orlando section. There is also a rather heavy infestation of citrus rust mite reported in practically all citrus-growing areas of that State.

The pea aphid occurred earlier than usual and in rather large numbers throughout the Middle Atlantic and South Atlantic States. It is also reported in eastern Kansas and in parts of Utah and Arizona. In Washington State the first damages reported in 10 years were under way in the Walla Walla district.

Suggestions for Control of Pea Weevil in 1939

Suggestions for the control of the pea weevil in 1939 have just been published and are available on request from the Bureau of Entomology and Plant Quarantine of the U. S. Department of Agriculture. The information in this publication was prepared by the Pacific Northwest Cooperative Pea Weevil Control Project Committee, representing a number of State agricultural experiment stations, county agricultural agents, and the Bureau of Entomology and Plant Quarantine. It incorporates, therefore, the consensus of men actively engaged in pea weevil control operations or men directly associated with these workers.

The Washington Extension Service at Pullman and the Idaho Extension Service at Moscow have also issued for local use essentially the same recommendations, which are available on application.

In order to determine pea weevil infestation, these suggestions recommend that a sweep net survey should be made and the infested areas marked off to indicate the parts to be dusted.

Extension Circular 327, recently issued by the Oregon Agricultural Extension Service, gives directions for the procedure to be followed in sweeping, and contains instructions for constructing an inexpensive net. Copies of this circular may be obtained upon application directed to the Oregon State College at Corvallis.

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